

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 FEDERAL TRADE COMMISSION,

CASE NO. C14-1038-JCC

10 Plaintiff,

MINUTE ORDER

11 v.

12 AMAZON.COM, INC.,

13 Defendant.
14

15 The following Minute Order is made by direction of the Court, the Honorable John C.
16 Coughenour, United States District Judge:

17 This matter comes before the Court on the parties' stipulation and proposed order to set a
18 deadline for the monetary relief (Dkt. No. 314). Plaintiff Federal Trade Commission (FTC) and
19 Defendant Amazon.com, Inc. stipulate as follows in order to reset the start date of the Consumer
20 Redress Period in light of the parties' voluntary dismissal of their Ninth Circuit appeal and cross-
21 appeal on April 4, 2017:

22 1. The Court's order determining monetary relief (the Order) (Dkt. No. 287)
23 prescribed that Amazon was to begin the notice-and-claims procedure prescribed by that Order at
24 the start of a "Consumer Redress Period," defined as the twelve-month period beginning "upon
25 the later of (1) January 31, 2017, or (2) 90 days after the entry of this Order." Because the Order
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1 was entered on November 10, 2016, the original applicable deadline for Amazon to begin the
2 notice-and-claims procedure was 90 days after the entry of the Order: February 8, 2017.

3 2. On January 6, 2017, the FTC filed a notice of appeal (Dkt. No. 289) of the Court's
4 order granting Amazon's motion for partial summary judgment (Dkt. No. 224).

5 3. On January 19, Amazon filed a notice of cross-appeal (Dkt. No. 291), which
6 included appeal of the Court's order granting (in part) the FTC's motion for summary judgment
7 (Dkt. No. 224).

8 4. Also on January 19, Amazon moved to stay the Order and the notice-and-claims
9 procedure it required (Dkt. No. 292), and on February 23, the Court granted Amazon's motion
10 and stayed the implementation of the notice-and-claims procedure until the completion of the
11 parties' appeals. (Dkt. No. 309.)

12 5. As part of a compromise resolution, the parties jointly dismissed their respective
13 appeals on April 4, 2017, (*see* Dkt. No. 313), and reached agreement on certain aspects of the
14 notice-and-claims process.

15 6. The compromise resolution requires Amazon to develop, implement, and test
16 modifications to Amazon's currently designed notice-and-claims process.

17 7. Accordingly, the parties have stipulated that Amazon will have until June 1, 2017,
18 to commence the notice-and-claims procedure in order to allow Amazon to make the necessary
19 changes to the procedure. The date of launch of the notice-and-claims procedure will constitute
20 the start of the 12-month "Consumer Redress Period" under the Court's Order.

21 8. Amazon has agreed to notify the FTC seven (7) days before the date on which it
22 launches the notice-and-claims procedure.

23 Based on the foregoing stipulation, IT IS SO ORDERED.

24 Amazon shall have until June 1, 2017, to commence the notice-and-claims procedure
25 defined in this Court's November 10, 2016 Order (Dkt. 287). The date of launch of the notice-
26 and-claims procedure shall constitute the start of the twelve-month "Consumer Redress Period"

1 under the Order. Amazon is to notify FTC counsel no less than seven (7) days before it initiates
2 the notice-and-claims procedure.

3 DATED this 27th day of April 2017.

4 William M. McCool
5 Clerk of Court

6 s/Paula McNabb
7 Deputy Clerk